

**CALL TO ORDER:** Supervisor Julian called the regular meeting of the Kasson Township Board to order at 7:00 pm, with the Pledge of Allegiance.

**ROLL CALL:** Members Present: Greg Julian – Supervisor, Dana Boomer - Clerk, Roger Noonan – Trustee, Julia Carter – Treasurer, Tad Carter – Trustee  
Member(s) Absent: None  
Staff Present: Tim Cypher

**AMENDMENTS TO AGENDA** – The board briefly discussed the agenda. J. Carter will present the Winter Tax Resolution under the treasurer’s report. **T. Carter moved to approve the agenda as presented. Noonan seconded. All in favor, motion carried.**

**PUBLIC COMMENT:** None

**MINUTES** – The board discussed the minutes from the regular meeting open session on October 12. **Noonan moved, T. Carter seconded to approve the October 12, 2021 regular meeting open session minutes as presented. All in favor, motion carried.**

The board discussed the minutes from the regular meeting closed session on October 12. **Noonan moved, J. Carter seconded to approve the October 12, 2021 regular meeting closed session minutes as presented. All in favor, motion carried.**

**PERTINENT COMMUNICATIONS:** None

**PRESENTATION:** Representatives from Elmers, including Todd Broad, were in attendance to present regarding their proposed reconstruction of Baatz Road west of CR-669 (Coleman Road), including the installation of a box culvert to allow the transport of mined material from a pit on the north side of Baatz Road to the south side to be crushed. They are also proposing to lower the slope of the road throughout the project, as the current vertical curve is not compliant with current road standards. They are also discussing the existing overhead powerhead lines with Consumers Energy.

Cypher then summarized the history of his discussions with Elmers on this proposal. He met with Elmers representatives for a pre-application discussion. After that meeting, he determined that a variance would be required for the box culvert, as the conveyor under the roadway would be considered part of the mining operation, which is not allowed within certain setbacks from road right-of-ways without a variance. The first step for this would be an application to the Zoning Board of Appeals. If the ZBA approved the application, Elmers could proceed to the Township Planning Commission to bring the full project forward. At the Planning Commission level, this would be reviewed as a Special Use Permit. Elmers is still working with the Road Commission and other governing bodies to put together a full application.

T. Carter asked why there is a need for the box culvert and conveyor system. Mr. Broad stated that the crusher is in a semi-permanent location, as it is sited on a cement pad and tied in to the existing electrical system. It would be costly to move the crusher. However, Elmers does also have portable crushers.

Julian then opened the meeting up to questions and comments from the public.

Dave Kalina – How long will the road be shut down? Mr. Broad responded approximately a year. Kalina asked if it would possible to build a bypass around the operation on land that Elmers owns, as he is concerned about the proposed length of the shutdown. Mr. Broad responded that they feel it would be better to not have traffic in the way, but that a bypass could be an option.

Fred Noonan – He is also concerned about the length of time the road will be shut down. Mr. Broad feels that a year is on the long side, and would rather have approval for a longer period of time and have the road opened earlier. Noonan is concerned about the re-routing of traffic down Fritz Road to M-72, as the Fritz Road/M-72 intersection is a dangerous intersection.

Tom Lanham – His family travels the proposed reconstruction route daily, in both vehicles and agricultural equipment, and he is concerned about the rerouting of traffic to Fritz Rd and M-72; that intersection has very limited visibility. He is also interested in the gravel being removed from the road grade during the project, and who will benefit from that. Elmers is stating the culvert is to reduce truck traffic on CR-669 – this is a moot point due to all of the truck traffic from the Elmers pit on Kasson Center Road, or the Reith Riley pit on Pierce Road. He is very concern about road being shut down for that length of time, especially taking farm equipment through the Fritz/M-72 intersection. He is concerned about the dangers of that intersection.

Julian asked if the Road Commission has any comment on the process. Craig Brown stated that the Road Commission currently has no comment on the process – they are waiting on the initial comments from the township.

Roger Noonan – The berm that was just put in on CR-669 only took about three months – he doesn't see why reconstructing the road will take up to a year. He also is interested in the idea of a bypass around the construction area, to avoid sending large amounts of traffic through the Fritz Road/M-72 intersection.

Tim Cypher asked if there were any additional public benefits to this project. Mr. Broad replied that the other option is to truck material back and forth between cells, up to 500-600 loads per day.

Mike Lanham – He asked how many trucks come out of the M-72 pit onto M-72 daily. Mr. Broad replied there are approximately 15,000 trucks per year coming out of the M-72 pit.

Fred Noonan – He is concerned about the changes in truck travel routes with this proposal and with the proposed light at Cedar Road and M-72.

Mr. Broad asked what an appropriate closure length would be? Boomer asked if they were proposing to close the road from the time they started removing the existing berms until they finished the reconstruction and rebuilt the berms? Mr. Broad stated that they wouldn't need to, it would shorten the closure time if they kept the road open while moving the berms.

John Lanham – Would it be possible to complete this project during the winter months? Mr. Broad stated that the full project could not be completed during the winter, as road and berm material

cannot be appropriately compacted during freezing conditions. However, the existing berms could be removed during cold weather.

Kalina – Another issue is all of the traffic for the National Park Service – traffic is frequently bumper to bumper on M-72 during the summer. All of this additional traffic routed to Fritz Road and M-72 is a major issue.

Roger Noonan requested that the Road Commission conduct a traffic study on Baatz Road.

Tom Lanham asked what would be moved through the box culvert. Mr. Broad stated that only conveyors would be in the culvert, moving mined material – no trucks would be going through the box culvert. One of the main reasons they want to change the grade of the road is to allow appropriate site distances in box directions to still allow trucks and equipment to cross the road.

Mark McKellar – McKellar is the attorney for Elmers. If the box culvert was not approved and instead all of the material was moved back and forth by truck, it would take several hundred truck trips per day. The culvert and conveyor system will be quieter, less dusty, and make for less traffic back and forth, which is safer.

Fred Noonan – How close are mining operations to Baatz Road? He doesn't think that it should take a year to move as much material as is being discussed. He thinks that if the culvert is not approved, the township should make Elmers move crushing operations to the north pit, to avoid having hundreds of haul trucks moving back and forth across Baatz Road per day.

#### **FINANCIAL REPORTS:**

- a) **TREASURER'S REPORT:** J. Carter had previously submitted the treasurer's report to the board. Receipts total \$21,606.66. Disbursements \$128,615.86. Balance \$294,492.13.

Resolution 12-2021 – Winter Tax Resolution – Winter tax is due and payable December 1, 2021 to February 14, 2022 for no penalty. For taxes to be receipted for 2021, payments must be received by December 31, 2021. February 15 through February 28, 2022, Kasson Township assesses a 3% penalty. March 1, 2022 and thereafter unpaid taxes and additional penalties are payable to the Leelanau County Treasurer only. **Boomer moved to approve Resolution #12-2021 (Winter Tax Resolution); Noonan seconded. Roll call vote: Boomer (yes), Noonan (yes), J. Carter (yes), T. Carter (yes), Julian (yes). All in favor, motion carried.**

- b) **BUDGET REPORT:** Boomer presented the budget report through October. The board briefly discussed.
- c) **BILL APPROVAL** – Boomer presented the updated check detail. The board briefly discussed. **T. Carter moved to pay the bills as presented; seconded by J. Carter. All in favor, motion carried.**

#### **UNFINISHED BUSINESS:**

- a. **Cemeteries** – Noonan spoke with the neighbor of the East Kasson Cemetery. He suggested that both the township and the neighbor place their fences approximately one foot back from the property line. The neighbor is not happy with the surveyed line, but will agree with it. She did

say that there may be phone lines buried near the existing cemetery fence. The board agreed to put money in the 2022/23 budget for a new fence for the East Kasson Cemetery.

- b. **Federal American Rescue Plan Act** – Boomer reported that the updated ARPA filing had been approved, and the first half of the funding should be received by the end of November.
- c. **Mining/Gravel Legislation** – Julian and J. Carter attended a meeting with Elmers, as approved by the board in September. The township then received a letter from Elmers, asking to put together a work group between Elmers and the township to discuss zoning regulations. Boomer asked to send a letter to Elmers asking for additional details on what they would like to discuss – if they are asking to consider changing the township’s zoning ordinance or zoning map, that would be something to discuss with the Planning Commission; if they would like to discuss current and proposed mining legislation at the state level, that would be discussed with the board. Boomer is not comfortable putting together a working group until it is determined what would be discussed and who the appropriate group would be for discussion. The board had a consensus to send a letter with a request for additional details.
- d. **Other Unfinished Business** - None

#### **NEW BUSINESS –**

- a. **Planning Commission Appointment** – There is an open position on the PC. Boomer reached out to the two previous applicants – both said they were no longer interested in this position. David Noonan stated that he was interested in applying for the PC position. Julian recommended Noonan for the position. **T. Carter moved to appoint David Noonan to the Planning Commission, seconded by Roger Noonan. All in favor, motion carried.** There is also an opening for recording secretary for the Planning Commission; the board had a consensus to place an ad in the Enterprise for a new recording secretary. Leland and Solon are also searching for PC recording secretaries. Boomer will communicate with the clerks from those townships to see if they would be interested in putting together a joint advertisement in the Enterprise, or will put one in solely for Kasson Township. The board discussed possibilities for the recording secretary position. Julian suggested that if a competent person could be found, also asking them to take minutes for the Township Board, to allow Boomer to more fully participate in the meetings without having to take minutes. The board briefly discussed – Boomer wants to make sure the PC position is filled first.
- b. **2022 Meeting Schedule** – The board briefly discussed; there was a general consensus to continue holding meetings on the second Tuesday of the month at 7 pm. Boomer will have a draft meeting schedule resolution for approval in December.
- c. **Other New Business** - None

#### **CAPITAL PROJECTS – EXPLORATION**

- a. **Maple City Sidewalks** – No changes. The board briefly discussed. J. Carter will be the contact for this project going forward with the Road Commission. The board also briefly discussed the ongoing issues at the 616/Maple City Road intersection north of Maple City, the M-72/Maple City Road intersection, and the Kasson Center/Newman Road intersection. Craig Brown reported that the Road Commission is actively considering options for the Kasson Center/Newman Road intersection. They will forward this work to the township.

- b. **Broadband** – No update
- c. **Township Hall Renovation** – Julian has requested that a representative from Cooley attend the meeting next month to discuss options. Once a determination is made on what work will be done, T. Carter would like to go out for bids. Boomer agreed that this would be best practice.
- d. **Fire Department Water Points** – Boomer is continuing to work on this project and get additional quotes and information. She intends to have numbers for multiple quotes and options for discussion at the December meeting.
- e. **Fire Department New Station** – Julian is continuing to work on issues related to this. The fire board discussed having the four supervisors meet to see if there was a consensus regarding a potential Act 57 reorganization and/or the building of a new station. Boomer suggested holding off on further discussion until the March meeting, to see if consensus can be developed amongst the four supervisors or four townships, and at that point the township should determine whether to put funding for moving forward on a new station in 2022/2023 township budget. The board had consensus to do so.

**REPORTS: Planning Commission (PC)** – There was no October meeting held.

**Zoning Administrator (ZA)** – Cypher had submitted written reports to the board, and provided a summary of his activities for the month. The board briefly discussed. There will be three gravel pit renewals at the November meeting. He and Tom Grier will have a final determination on the escrow amount to be returned to the Lively project by December. He has been continuing to work with MDARD and EGLE on the Krull property; Krull has moved his windrows to comply with setback requirements. Krull has also hired an engineer to work on the fly issues that have been experienced there.

**Supervisor** – Julian summarized his activities for the month. During October, he worked to get the old Christmas lights and wires removed from the poles in Maple City, at the request of a concerned citizen.

**Assessor** – Assessment business is being conducted as normal. An assessing report has been submitted to Julian and will be distributed to the board. Krombeen is working to find someone to conduct field studies next year.

**Fire Board** – The union contract has been approved, to begin January 2022. The department is working to get a summation of the renovations and repairs needed to the station. The department has been approved for conditional Advanced Life Support services, which allows CAFR to provide ALS services when a paramedic-licensed employee is on duty. The plan is for the department to transition to full ALS service by April of 2023.

**Clerk/Elections Report** – The internet equipment at the hall has been replaced, and is now working. There are currently no scheduled elections until August 2022.

**COMMITTEE REPORTS: Hall Use and Buildings and Grounds Reports** – There was one hall use, with the community music group. Julian reported that Bob Underwood will no longer be cleaning the hall; he asked the others to reach out to anyone who is insured and may be interested in the position

**PUBLIC COMMENT:** None

**BOARD COMMENT:** Roger Noonan reminded everyone that the Elmers project does have to go through the ZBA to get a variance before anything that can go forward. He doesn't think they may have considered all of their options before tonight, but they are likely thinking about it more now. Cypher stated that part of the ZBA process is considering all prudent and feasible alternatives to a proposed project. Boomer reiterated the lack of visibility at the Fritz Road/M-72 intersection, especially for farm traffic. The board and public briefly discussed the Elmers project.

The next regular meeting will be Tuesday, December 14, 2021 at 7 pm.

**Motion** by J. Carter to adjourn, second by Noonan / **All in favor, motion carried.** Meeting adjourned at 8:48 PM.

Submitted by:  
Dana Boomer, Township Clerk